

VULNERABLE ADULTS SAFEGUARDING POLICY

Royal Hibernian Academy of Arts

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1. Introduction

Royal Hibernian Academy of Arts is fully committed to safeguarding the well-being of vulnerable adults by protecting them from physical, sexual, psychological, financial, and discriminatory abuse and neglect. Royal Hibernian Academy of Arts accepts that in all matters concerning vulnerable adults, the welfare and protection of such adults is paramount. As we work directly with vulnerable adults using our services, we consider it vital that we are fully compliant with all relevant safeguarding guidance and legislation.

2. Safeguarding vulnerable adults' statement

Royal Hibernian Academy of Arts aims to adhere to the HSE safeguarding vulnerable persons at risk of abuse national policy and procedures and to minimise the negative impacts of risk while respecting and upholding the human rights and inherent dignity of all people involved with Royal Hibernian Academy of Arts.

3. A Vulnerable Person

A vulnerable person is defined in the HSE safeguarding vulnerable person at risk of abuse policy and procedures (p.3) as:

“An adult who may be restricted in capacity to guard himself/herself against harm or exploitation or to report such harm or exploitation”.

4. Defining abuse

Royal Hibernian Academy of Arts understands the definition of abuse in accordance with safeguarding vulnerable persons at risk of abuse national policy and procedures.

“Any act, or failure to act, which results in a breach of a vulnerable person’s human rights, civil liberties, physical and mental integrity, dignity or general wellbeing, whether intended or through negligence, including sexual relationships or financial transactions to which the person does not or cannot validly consent, or which are deliberately exploitative. Abuse may take a variety of forms.”

5. Types of abuse

Physical abuse – Includes hitting, slapping, pushing, kicking, and misuse of medication, restraint, or inappropriate sanctions.

Sexual abuse – Includes rape and sexual assault, or sexual acts to which the vulnerable person has not consented, or could not consent, or into which he or she was compelled to consent.

Psychological abuse – Includes emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation, or withdrawal from services or supportive networks.

Financial or material abuse – This includes theft, fraud, exploitation, pressure in connection with wills, property, inheritance, or financial transactions, or the misuse or misappropriation of property, possession, or benefits.

Discriminatory abuse – Includes ageism, racism, sexism, based on a person’s disability, and other forms of harassment, slurs, or similar treatment.

Neglect and acts of omission – Includes ignoring medical or physical care needs, failure to provide access to appropriate health, social care, or educational services, and the withholding of the necessities of life such as medication, adequate nutrition, and heating.

Institutional abuse -This may occur within residential care and acute settings including nursing homes, acute hospitals, and any other in-patient settings, and may involve poor standards of care, rigid routines, and inadequate responses to complex needs.

6. Barriers to the vulnerable person disclosing abuse

Barriers to disclosure may occur due to some of the following:

Fear on the part of the service user of having to leave the service as a result of disclosing abuse.

A lack of awareness that what they are experiencing is abuse.

A lack of clarity as to who they should talk to.

Lack of capacity to understand and report the incident.

Fear of an alleged abuser.

Ambivalence regarding a person who may be abusive

Limited verbal and other communication skills.

Fear of upsetting relationships.

Shame and/or embarrassment.

7. How to respond to a disclosure of abuse

A vulnerable adult may carefully select a person to confide in. That chosen person will be someone they trust and have confidence in. It is important that a vulnerable adult who discloses abuse feels supported and facilitated in what may be a frightening and traumatic process for them. A vulnerable adult may feel perplexed, afraid, angry, despondent, and guilty. It is important that any negative feelings they may have are not made worse by the kind of response they receive. A vulnerable adult who divulges abuse has engaged in an act of trust and their disclosure must be treated with respect, sensitivity, urgency, and care.

It is of the utmost importance that disclosures are treated in a sensitive and discreet manner. Anyone responding to a vulnerable adult making such a disclosure should take the following steps:

1. Take the vulnerable adults seriously.
2. React calmly, as overreaction may intimidate the vulnerable adult and increase any feelings of guilt that they may have.
3. Reassure the vulnerable adult that they were correct to tell somebody what happened.
4. Listen carefully and attentively.
5. Never ask leading questions.
6. Use open-ended questions to clarify what is being said and try to avoid having them repeat what they have told you.
7. Do not promise to keep secrets.
8. Advise that you will offer support but that you must pass on the information.
9. Do not express any opinions about the alleged abuser to the person reporting to you. Explain and make sure that the vulnerable adult understands what will happen next. Do not confront the alleged abuser

8. Reporting procedures

Following disclosure RHA representative (staff, volunteer, contractor, facilitator, intern, etc) should:

Immediately after the conversation, document the content of the conversation, including all the names of those involved, what happened, where, when, if there were any witnesses, and any other significant factors and note any visible marks on the individual making the report or any signs you observed.

1. Record the event, sign, and date all reports, and indicate the time the notes were made.
2. Ensure that the information is treated with utmost confidence.
3. Allegations should be investigated by employees or volunteers.
4. RHA representatives (staff, volunteer, contractor, facilitator, intern, etc) should pass that report to the designated officer, listed below.

Under no circumstances should a vulnerable adult be left in a situation that exposes him or her to harm or to risk of harm. In the event of an emergency where you think a vulnerable adult is in immediate danger, you should contact the Gardai in the first instance.

The nearest Garda station to Royal Hibernian Academy of Arts is

Pearse Street Garda Station (01) 666 9000

5. What does an employee/volunteer do if they suspect or have reasonable grounds for concern that a vulnerable adult is being abused?

Try to ensure so far as possible that no situation arises that could cause any further risk to the vulnerable adult. Record the facts as you know them. Include the person's name, address, the nature of the concern, allegation, or disclosure. Employees/volunteers should pass that report to the

Designated Officer(s),

Head of RHA School

Email: schoolprincipal@rhagallery.ie Phone: 01 661 2558

Learning and Public Engagement Curator

Email: ciara@rhagallery.ie Phone: 01 661 2558

In accordance with safeguarding vulnerable persons at risk of abuse national policy and procedures Royal Hibernian Academy of Arts has appointed a designated officer who is responsible for:

- Receiving concerns or allegations of abuse regarding vulnerable persons.
- Collating basic relevant information.
- Ensuring the Director is informed and collaboratively ensuring necessary actions are identified.
- Ensuring all reporting obligations are met (internally to the service and externally to the statutory authorities).
- Supporting the Director and other personnel in addressing the issues arising.
- Maintaining appropriate records.

9. Confidentiality

All information regarding concern for a vulnerable adult should be shared on a "need to know" basis in the interests of the person concerned. The provision of information to statutory agencies for the protection of vulnerable adults is not a breach of confidentiality or data protection. RHA representatives (staff, volunteer, contractor, facilitator, intern, etc) should not give any undertakings regarding secrecy.

10. Guidance for an employer dealing with an allegation of abuse of a vulnerable adult

If an allegation is made against any RHA representatives (staff, volunteer, contractor, facilitator, intern, etc) within Royal Hibernian Academy of Arts we will ensure that everyone involved gets a proper response. This involves making sure that two separate procedures are followed, one in respect of the vulnerable adult and another in respect of the RHA

representatives (staff, volunteer, contractor, facilitator, intern, etc). The same person will not deal with both of the above.

When an allegation of abuse is received against RHA representatives (staff, volunteer, contractor, facilitator, intern, etc) it will be assessed promptly and carefully by Royal Hibernian Academy of Arts. Action taken in reporting an allegation of the abuse of a vulnerable adult against an RHA representative (staff, volunteer, contractor, facilitator, intern, etc) should be based on an opinion formed reasonably and in good faith. It will be necessary to decide whether a formal report should be made to the relevant safeguarding and protection team within the HSE. The decision should be based on reasonable grounds of concern, as outlined earlier in this policy document.

The priority is to ensure that no vulnerable adult is exposed to unnecessary risk. Royal Hibernian Academy of Arts, as an organisation, will as a matter of urgency, take any necessary protective measures. These measures will be proportionate to the level of risk and will not unreasonably penalise the RHA representatives (staff, volunteer, contractor, facilitator, intern, etc) financially or otherwise, unless necessary to protect any vulnerable adults. Where protective measures penalise the RHA representatives (staff, volunteer, contractor, facilitator, intern, etc), early consideration must be given to the case.

Any action taken should be guided by agreed procedures, the applicable employment contract, and the rules of natural justice.

The Director of the Royal Hibernian Academy of Arts should be informed about the allegation as soon as possible. When we become aware of an allegation of abuse of a vulnerable adult by any RHA representatives (staff, volunteer, contractor, facilitator, intern, etc) during the execution of that person's duties, the Director of Royal Hibernian Academy of Arts will inform the RHA representatives (staff, volunteer, contractor, facilitator, intern, etc) of the following:

- The fact that an allegation has been made against him or her;
- The nature of the allegation.

The RHA representatives (staff, volunteer, contractor, facilitator, intern, etc) will be afforded an opportunity to respond. The Director will note the response and pass on this information if making a formal report to the relevant safeguarding and protection team with the HSE.

Everyone at Royal Hibernian Academy of Arts will take care to ensure that actions taken by them do not undermine or frustrate any investigations/assessments conducted by the relevant safeguarding and protection team within the HSE or An Garda Síochána. The Director will maintain a close liaison with the statutory authorities to achieve this.

11) Roles and responsibilities of those within RHA

Dealing with concerns, suspicions, or disclosure the Royal Hibernian Academy of Arts is committed to having the following in place:

A Lead Safeguarding Officer to produce and disseminate guidance and resources to support the policy and procedures.

A clear line of accountability within the organisation for work on promoting the welfare of all vulnerable adults.

Procedures for dealing with allegations of abuse or poor practice against RHA representatives (staff, volunteer, contractor, facilitator, intern, etc)

A Disciplinary Panel will be formed as required for a given incident, if appropriate, and should a threshold be met.

Arrangements to work effectively with other organisations to safeguard and promote the welfare of vulnerable adults, including arrangements for sharing information.

Appropriate whistle-blowing procedures and an open and inclusive culture enable safeguarding and equality and diversity issues to be addressed.

Clear codes of conduct are in place for staff, participants, officials, spectators, and other relevant individuals.

12) Good practice, poor practice, and abuse

It can be difficult to distinguish poor practice from abuse, whether intentional or accidental. It is not the responsibility of any individual involved in the Royal Hibernian Academy of the Arts to make judgments regarding whether or not abuse is taking place. However, all RHA representatives (staff, volunteer, contractor, facilitator, intern, etc) have the responsibility to recognise and identify poor practices and potential abuse and act on this if they have concerns.

Good practice

Royal Hibernian Academy of the Arts expects that:

Adopt and endorse the Royal Hibernian Academy of Arts Codes of Conduct.

Have a basic awareness of working with vulnerable adults at risk.

Everyone should:

Aim to make the experience of the Royal Hibernian Academy of the Arts fun and enjoyable.

Promote inclusiveness and connection.

Not tolerate the use of prohibited or illegal substances.

Treat everyone equally and preserve their dignity. This includes giving more and less talented members of a group similar attention, time, and respect.

13) Capacity – Guidance on Making Decisions

We make many decisions every day, often without realising. We make so many decisions that it's easy to take this ability for granted. However some people are only able to make some decisions, and a small number of people cannot make any decisions. Being unable to make a decision is called "lacking capacity".

To make a decision we need to:

Understand information.

Remember it for long enough.

Think about the information.

Communicate our decision.

A person's ability to do this may be affected by things like learning disability, mental health needs, acquired brain injury, and physical ill health. Every individual has the right to make their own decisions and this provides the framework for this to happen.

This is about making sure that people have the support they need to make as many decisions as possible. It is also about protecting people who need family, friends, or paid support staff to make decisions for them because they lack the capacity to make specific decisions.

Our ability to make decisions can change over the course of a day. Here are some examples that demonstrate how the timing of a question can affect the response:

A person with epilepsy may not be able to make a decision following a seizure.

Someone who is anxious may not be able to make a decision at that point.

A person may not be able to respond as quickly if they have just taken some medication that causes fatigue.

In each of these examples, it may appear as though the person cannot make a decision. But later in the day, presented with the same decision, they may be able to at least be involved.

Recognises that capacity is decision-specific, so no one will be labelled as entirely lacking capacity.

Always consider the following five points:

Assume that people are able to make decisions unless it is shown that they are not. If you have concerns about a person's level of understanding, you should check this with them, and if applicable, with the people supporting them.

Give people as much support as they need to make decisions. You may be involved in this – you might need to think about the way you communicate or provide information, and you may be asked your opinion.

People have the right to make unwise decisions. The important thing is that they understand the implications. If they understand the implications, consider how risks might be minimised.

If someone is not able to make a decision, then the person helping them must only make decisions in their “best interests”. This means that the decision must be what is best for the person, not for anyone else. If someone was making a decision on your behalf, you would want it to reflect the decision you would make if you were able to.

Find the least restrictive way of doing what needs to be done.

Remember:

You should not discriminate or make assumptions about someone’s ability to make decisions, and you should not pre-empt a best-interest decision merely on the basis of a person’s age, appearance, condition, or behaviour.

When it comes to decision-making, you could be involved in a minor way or asked to provide more detail. The way you provide information might influence a person’s ultimate decision.